REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Claim objections

Claim 12 is objected to for certain informalities. In particular, the examiner notes that "as" in line 2 of claim 12 should be "has." Claim 12 has been amended according to the examiner's suggestion. Accordingly, withdrawal of the objection is respectfully requested.

Rejection of claims 4 and 5 under 35 U.S.C. § 112, second paragraph

Claims 4 and 5 presently stand rejected as being indefinite. In particular, the examiner notes that the recitation of "the ISO standard" is unclear as to which ISO standard is being referenced. Claims 4 and 5 have been amended to recite "ISO 7816." Support for this amendment is found on pages 1, 8, and 9 of the originally filed application, and therefore no new matter is presented.

It is respectfully submitted that "ISO 7816" is clearly understood by persons skilled in the art, and therefore the amended claims are not indefinite. Accordingly, withdrawal of the rejection is respectfully requested.

Rejection of claims 1, 8-10, 12, and 14 under 35 U.S.C. § 102(e)

Claims 1, 8-10, 12, and 14 presently stand rejected as being anticipated by Saliba (U.S. 5,894,425). This rejection is respectfully traversed for the following reasons.

The present invention is directed to a method for testing the authenticity of a data carrier and an external device. After testing the authenticity, data transfer is carried out between the data carrier and the external device.

According to the present invention, two bidirectional data channels are provided between the data carrier and the external device. Signals are transferred via the first data

channel for the purpose of exchanging data between the data carrier and the external device, and authenticity signals are transferred between the data carrier and the external device. The first and second data channels are logically separate from one another.

This is expressed, for example, in the method set forth in independent claim 1, by the recitation of providing a first bidirectional transmission channel for transmitting signals having signal patterns between the data carrier and the external device, providing a second bidirectional transmission channel logically separated from the first bidirectional transmission channel, and transmitting the signal for authenticity testing from the data carrier to the external device via the second bidirectional transmission channel.

Accordingly, claim 1 clearly sets forth first and second transmission channels each transmitting signals between the data carrier and the external device. Independent claims 8, 12, and 14 each similarly recite the present invention.

Saliba fails to disclose or suggest a data carrier having two logically separate bidirectional data channels provided between the data carrier and an external device.

On the contrary, Saliba discloses a field unit 50, having a data communication channel for communicating between the field unit and a drive unit. The data communication channel is discloses as an infrared (IR) interface. (see *Saliba*; col. 5, lines 26-43; col. 6, lines 17-36). Separately, the field unit optionally includes a wireless radio send/receive unit, such as for cellular wireless communication, for communicating with a remote host computer. (see *Saliba*; col. 5, lines 44-46).

Thus, Saliba discloses a field unit that communicates via a first communication channel with a first external device, and via a second communication channel with a second, different external device. Saliba does not disclose or suggest two logically separate data transfer channels between the field unit and the drives, or, alternatively, between the field unit and the host computer.

Therefore, it is respectfully submitted that Saliba fails to disclose each and every element set forth in the independent claims 1, 8, 12, and 14, and therefore it is respectfully submitted that claims 1, 8, 12, and 14, as well as their respective dependent claims 2-7, 9-

11, and 13, are allowable over the cited reference. Accordingly, withdrawal of the rejection is respectfully requested.

Rejection of claims 1-7, 11, and 13 under 35 U.S.C. § 103(a)

Claims 1-7, 11, and 13 presently stand rejected as being unpatentable over Saliba in view of Ehrat (U.S. 3,806,874). This rejection is respectfully traversed for the following reasons.

As discussed above, According to the present invention, two bidirectional data channels are provided between the data carrier and an external device. Signals are transferred via the first data channel for the purpose of exchanging data between the data carrier and the external device, and authenticity signals are transferred between the data carrier and the external device. The first and second data channels are logically separate from one another.

Further, as discussed above, Saliba fails to disclose or suggest two bidirectional data channels are provided between the data carrier and a (single) external device.

It is respectfully submitted that Ehrat also fails to disclose or suggest *two bidirectional data channels* between a first and a second device. Ehrat discloses a single duplex transmission channel. According to the duplex scheme for communicating, first and second devices each have a transmitter and a receiver, whereby a single bi-directional communication channel is established.

As Ehrat states, "duplex transmission may operate with two different transmission frequencies so that transmission may take place simultaneously in both directions." (*Ehrat*; col. 6, lines 33-35). However, this does not describe two bidirectional communication channels. Instead, the duplex scheme described by Ehrat comprises only two mono-directional channels which together make up only *a single bidirectional* channel.

Ehrat fails to disclose or suggest the two bidirectional channels of the presently claimed invention, and therefore Ehrat fails to supplement the deficiencies of Saliba.

Saliba and Ehrat together fail to disclose or suggest two bidirectional data channels provided between the data carrier and a (single) external device, and therefore Saliba and Ehrat together fail to disclose or suggest each and every element set forth in claims 1-7, 11, and 13. Accordingly, it is respectfully submitted that claims 1-7, 11, and 13 are allowable over the cited references, and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-14 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

Respectfully submitted,

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